

from the desk of Senator

# Mike Carrell

Legislative Update

Spring 2006

## Olympia Office:

PO Box 40428  
109A Newhouse Building  
Olympia, WA 98504-0428  
(360) 786-7654  
FAX: (360) 786-1999

## District Office:

10221 Bridgeport Way SW  
Lakewood, WA 98499  
(253) 589-7296  
Fax: (253) 589-7298

## Home Address:

10210 Lake Louise Dr. SW  
Lakewood, WA 98498  
Home Phone: 581-2859



Dear Friends and Neighbors,

During the recently completed Legislative session, several thousand bills were considered. I have picked out a few of these many issues to help you better understand how I represented you. I hope you will find this end of session wrap-up report informative.

The biggest issue is always about money. Who should we tax? How much should we tax? How should we allocate tax revenues? As your senator, I take these three questions very seriously. Washington State can't afford to be a high tax, business unfriendly state if good paying jobs are going to be available for our families.

This is why I voted for the Capital and Transportation budgets, but did not support the Supplemental budget's \$600 million spending increase. The Legislature increased spending by 17 percent, when combined with the underlying two-year budget we passed last year! I question whether such a budget is sustainable in future years without even more massive tax increases.

On the positive side, the Legislature did toughen laws against people who commit sex crimes against children and vulnerable adults. We also created, for the first time, a felony crime for being convicted of driving under the influence of alcohol. My amendment to this bill significantly increased the number of people convicted of DUIs who will go to prison.

In my last two newsletters to you, I described my efforts to spark interest in prison and parole reform, which included a series of meetings in Olympia last year. That work built a statewide coalition of people and groups, and was the catalyst that resulted in the passage of my bill, SB 6308. Details of this legislation are inside this newsletter.

Lastly, I'd like to take a moment to recognize the hard work and dedication of Representative Gigi Talcott. Gigi will be retiring from public service at the end of her term. I've worked with her for 12 years and have been proud to call her a good friend and a great colleague. I'm sure you join me in wishing her well in her future endeavors.

As always, I am privileged to serve you, and I welcome your ideas and concerns.

Warmest regards,

*Mike*

## Inside:

- *Cracking down on child molesters*
- *Saving money, saving lives*
- *No reporter shield law*
- *Hard time for drunk drivers*
- *The WASL — Making the grade*
- *Freedom Bridge*
- *Town hall meetings*



## Cracking down on child molesters

Early in the session, citizen supporters of Jessica's Law had a rally on the steps of the Legislative building to insist upon tough laws for sex crimes against children. In my speech to supporters, I encouraged their efforts. Messages from many of you and other citizens around the state made it clear that you wouldn't accept a weak version of Jessica's Law. You wanted offenders who molest children and vulnerable adults to be sentenced to 25 years-to-life for this type of crime.

While some of the toughest bills (including mine) died in committee, our combined efforts helped improve the legislation. The one type of sex offender that currently does not automatically

qualify for a 25 year-to-life sentence is a family member. County prosecutors argued that such offenders should qualify for treatment rather than prison because victims might not testify if they knew their testimony might send the offender away for life. How do you feel about this issue?

Numerous other pieces of legislation related to sex offenders also became law this session, including dealing with unregistered "homeless" sex offenders and those who move into Washington from other states. We also standardized Community Protection Zones, clarifying that local government could keep sex offenders from living within 880 feet of schools, parks and other designated facilities.

## Saving money, saving lives

Crime is the major cost driver for government. Pierce County has a particularly heavy burden. We prosecute many times more offenders relative to our population than King and Snohomish counties do. We also have more than our fair share of state prison related facilities.

Right now, most offenders serve their time in prison and are released with their criminal problems unresolved. They're often given \$40 and a bus ticket, and end up in urban areas like ours. Nearly two-thirds of all felons are convicted of a new offense within a few years.

With the passage of my prison and parole reform bill, SB 6308, I will be leading a Legislative task force this summer and fall



*Sen. Carrell and Gov. Gregoire signing Senate Bill 6308*

to begin reforming the entire system. It is important to us as taxpayers and potential victims of new criminal acts that offenders not commit new crimes upon release from prison.

I'm convinced the task force can find ways to lower by 20 to 30 percent the number of felons who re-offend by using the best of our current programs com-

bined with proven methods from other states. The Department of Corrections should partner with local governments in felon placement and supervision decisions since both have a major stake in keeping felons from re-offending. Think of the money and lives we could save!



## No reporter shield law

The Judiciary Committee members, including myself, consider many bills with constitutional implications. It is the committee's duty to balance the rights of all citizens, especially if the bill affects the Bill of Rights.

This year, the media (mostly newspapers) attempted to create what they called a "reporter shield" law. I was one of the few committee members to oppose this idea in committee because I believed it harmed court protection of citizen rights. Currently, if someone is being sued or is being prosecuted in our courts, and information key to the truth is in the hands of the media, the court system determines whether the media must release the information.

By long tradition, the courts have usually protected the source of the information the media used in a story. The courts have balanced the public's right to know what government and others are doing (First Amendment rights) against the right of the accused to

confront his or her accuser in court (Sixth Amendment rights).

The news media wanted the Legislature to create a new, absolute privilege against ever having to reveal where they got information, under any circumstance. This bill also expanded the definition of "media" to include anyone who is paid to write, including even Internet blogs. If this bill had passed, there would have been no checks and balances. The truth would never be found in some cases. It would have shifted decisions from judges to the media.

Senator Brian Weinstein (D) and I led a coalition of county prosecutors, including Pierce County Prosecutor Jerry Horne, the King County Bar Association and others, to fight this bill. Fortunately, a majority of senators of both parties agreed with us. Both the House and Senate versions of this bill died on the floor of the Senate. I will be presenting an alternative bill in the 2007 session to make current court practices state law.

## Hard time for drunk drivers

Legislative attempts to make repeat drunk driving a felony have failed for years. This year, because of public interest groups and aggressive media coverage, just such a bill passed the House. Under this bill, someone convicted of their fifth DUI in seven years would be guilty of a felony. Unfortunately, someone convicted of DUI only once every two years would never qualify for this tougher sentence.

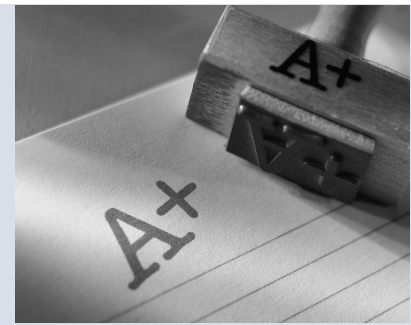
After listening to testimony during the Senate Judiciary Committee

hearing, I offered a tougher amendment to the bill that would make it a felony to be convicted five



times in 10 years. This change was accepted as an amendment by the majority party and was included in the bill as it passed the Senate.

Washington now joins 44 other states that have felony DUI laws. Drunk drivers will, for the first time, be locked up long enough for effective treatment. This law will make us all safer on the highways.



## The WASL – Making the grade

Citizens have long complained about low student achievement in our schools. In 1992, the Legislature passed HB 1209 which required testing of student achievement. One provision of this law requires passing the 10th Grade Washington Assessment of Student Learning (WASL) test in order to graduate. This requirement has led to years of disagreement and concerns.

This year's 10th grade students are the first students who must pass the WASL in order to graduate. There is much misunderstanding of what the WASL standard actually is. To pass the WASL, a student is expected to have, at a minimum, eighth grade skills in the 10th grade.

This year, I supported WASL remediation funding to help students gain skills that the WASL test showed were missing or not measured for various reasons. Despite concerns about these tests, we must insist that students learn enough to compete with the rest of the world. Eighth grade skills in the 10th grade aren't an insurmountable requirement since they have until the 12th grade to pass the WASL retakes. With this additional help, I am confident that our kids can succeed!

from the desk of Senator

**Mike Carrell**

PO Box 40428, Olympia, WA 98504-0428

PRSRT STD  
U.S. POSTAGE PAID  
OLYMPIA WA  
PERMIT#133

**You're Invited!**

## Town Hall Meetings

You're invited to bring your questions and concerns to the town hall meetings I will be hosting along with Rep. Gigi Talcott. I am very interested in speaking with you, getting to know you and finding out what issues you feel are important. Please drop by one of the town halls listed below, and as always, don't hesitate to call me at my Lakewood office at 589-7296 or at home at 581-2859.

---

**June 8th at 7 p.m. — Which direction are our prisons headed?**

Steilacoom Town Hall – Steilacoom  
2301 Worthington Street

---

**June 13th at 7 p.m. — What's up with the WASL?**

Chloe Clark Elementary – DuPont  
1700 Palisade Boulevard

---

**July 20th at 7 p.m. — Property, death and other tax issues**

Pierce County Library (Lakewood Branch) – Lakewood  
6300 Wildaire Road

---

**August 17th at 7 p.m. — Looking into the future of election reform**

University Place Town Hall – University Place  
3715 Bridgeport Way West

---

**September 16th at 10:30 a.m. — Can we curb government growth?**

Fircrest Community Center – Fircrest  
555 Contra Costa Avenue

---

**October 17th at 7 p.m. — The 2007 Legislative Session: what issues are important to you?**

Tacoma Lutheran Home – Tacoma  
1301 Highlands Parkway North

---

## Berkeley Avenue overpass to be renamed "Freedom Bridge"

It's been a long time in coming, but I'm extremely happy to report that the Washington Transportation Commission has finally approved our proposal to rename the Berkeley Avenue overpass at Interstate-5's Exit 122 in Lakewood, "Freedom Bridge." The overpass connects Lakewood with the main entrance to Camp Murray, and is the starting point for thousands of Washington National Guard members on their way to overseas deployment.

Shortly after our proposal was approved, the new signs went up, officially designating the overpass "Freedom Bridge." Many of you have joined me on the bridge, waving American flags and cheering to support our state's brave servicemen and women, and I thank you for all of your support.

Please join me for a bridge rededication ceremony on Saturday, June 3rd from 10 to 11 a.m., inside the gates of Camp Murray. Remember, parking is limited and to enter the gates, drivers must have their licenses, registration and proof of insurance, and everyone in your vehicle must have picture identification. I hope to see you there.